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June 18, 2014

VIA ECF

Honorable Lorna G. Schofield
United States District Judge
United States Courthouse
40 Foley Square
New York, New York 10007

Re: DIBA Family Limited Partnership, et al. v. David Ross, et al.: 13-cv-6384 (LGS) (JLC)

Dear Judge Schofield:

This firm represents defendants David Ross and Helen Werngren-Ross (the "Rosses") in the above matter. We write in accordance with Your Honor's June 12, 2014 Order.

While we are hopeful that the Court will grant the Rosses' dismissal motion in its entirety, in the event that any portion of the case survives the motion, we respectfully request the opportunity -- before any trial is scheduled -- to review the decision in combination with the documents that plaintiffs have promised to produce and then consider the possibility of filing a motion for summary judgment, or, as the Court offered, scheduling a second settlement conference. As a result, we respectfully request that Your Honor not schedule a trial upon completion of the dismissal motion.

In the event that the Court has any questions, I am presently out of the country and expect to return to the office on July 1, 2014.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Harry H. Rimm".

Harry H. Rimm

cc: Robert Gumenick, Esq. (Via Email)